

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. ) CASE NO. DNCW3:07CR140  
Financial Litigation Unit)  
DAVID RAY THOMAS, )  
Defendant, )  
and )  
TLC COMPANIES, )  
Garnishee. )

**ORDER OF CONTINUING GARNISHMENT**

**THIS MATTER** is before the Court on the Answer of TLC Companies as Garnishee. Judgment in the criminal case was filed on July 17, 2008 (Doc. No. 21). As part of that Judgment, Defendant was ordered to pay an assessment of \$300.00 and restitution of \$15,988.00 to the victim of the crime. *Id.*

On September 22, 2022, the Court entered a Writ of Continuing Garnishment (Doc. No. 32) to Garnishee TLC Companies. Defendant was served with the Writ and Instructions notifying him of his right to request a hearing on September 30, 2022. Garnishee was served on October 3, 2022. Garnishee filed an Answer on October 17, 2022 (Doc. No. 31) stating that at the time of service of the Writ, it had in its custody, control or possession property or funds owned by the Defendant, including non-exempt, disposable earnings. Defendant did not request a hearing, and the statutory time to do so has elapsed.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$13,738.00 computed through September 22, 2022. Garnishee shall pay the United States up to the lesser of (1) twenty-five percent of the Defendant's disposable

earnings which remain after all deductions required by law have been withheld, or (2) the amount by which the Defendant's disposable earnings for each week exceed thirty times the federal minimum wage. *See* 15 U.S.C. § 1673(a). Garnishee shall continue said payments until the debt to Plaintiff is paid in full, or until Garnishee no longer has custody, possession or control of any property belonging to the Defendant, or until further order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

Clerk of the United States District Court  
401 West Trade Street  
Charlotte, North Carolina 28202

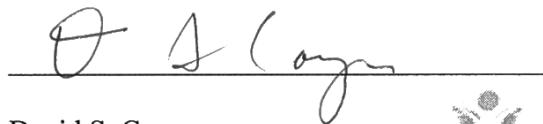
In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW3:07CR140.

IT IS FURTHER ORDERED that Garnishee will advise this Court if Defendant's employment is terminated at any time by the Garnishee or Defendant.

Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

**SO ORDERED.**

Signed: November 21, 2022

  
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David S. Cayer  
United States Magistrate Judge  
